

1 RCNY §49-41

CHAPTER 49 OUTDOOR SIGNS

Subchapter

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Subchapter E – Application for Sign Work Permit

§49-41 Application requirements.

(a) An application to erect, alter or install a sign and/or sign structure in an area that is subject to inclusion on the sign inventory as set forth in section 49-15 of this chapter that is larger than 200 square feet shall be accompanied by the following documentation:

- (1) A detailed description and/or drawing of the proposed sign, including its size;
- (2) A plot plan indicating the block and lot, zoning lot and exact location and size of the proposed sign and/or sign structure, as well as the location, size, and, if available, sign permit and OAC identification numbers for all other signs on the zoning lot, with their size in square feet;
- (3) A statement indicating whether the proposed sign and/or sign structure will be within view of a public park of one-half acre or more or of an arterial highway.
- (4) A statement indicating the distance in feet to each public park of one-half acre or more that is within 200 feet of the proposed sign, and to each road designated as an arterial highway, that is within 900 feet of such proposed sign. Distance to the public park or arterial highway shall be calculated as set forth in section 49-15(d)(1) of this chapter;
- (5) A statement whether the proposed sign is to be “advertising,” “accessory” to a business, or “non-commercial.”
- (6) For accessory signs, the following items shall be submitted with the application in addition to the other required items listed in this section:
 - a. The corporate name and D/B/A name of the use on the zoning lot that the proposed sign is to advertise and the name of the owner or principal of such business.
 - b. A written description of the existing or proposed business operation on the zoning lot, including the size of the business operation in square feet and average number of daily employees regularly on-site, signed and notarized by a principal or officer of such business;
 - c. A drawing and/or description of the proposed sign copy;
 - d. A complete lease signed by a principal or officer of the business, demonstrating the amount of space leased at the zoning lot by the business being advertised. If the business being advertised at the zoning lot owns the subject premises, a copy of the deed is to be provided;
 - e. A statement signed by the property owner indicating the parties with ownership, lease or creditor interest in the sign and sign structure;
 - f. An approved alteration application and/or a certificate of occupancy or satisfactory historical evidence acceptable to the Borough Commissioner demonstrating that the specified business use to which the sign directs attention is permitted on the zoning lot;
 - g. A restrictive declaration, signed by a fee owner of the real property, that binds the owner and its successors to remove the sign and sign structure if at any time the use of the premises is changed, or an occupant of the premises ceases tenancy, such that the sign is no longer an accessory sign. The declaration shall further provide that if the sign is not removed, the Declarant consents to allow the City to enter onto the premises to remove the sign and sign structure and the Declarant agrees to reimburse the City for all actual costs associated with such removal. Proof of recording of the restrictive declaration must be submitted prior to approval of the sign work permit application; and
 - h. Financial statements detailing actual or projected income from the business at the zoning lot and demonstrating that no income or financial benefit shall be derived or expected from the sign.

(b) The work permit application shall be accompanied by a certification by a registered architect or licensed professional engineer that he or she has personal knowledge that the proposed sign and sign structure shall be in compliance with the zoning resolution and, if accessory, that the requirements of Paragraph (a)(6) of this section have been satisfied.

(c) No work permit shall be issued to erect a sign structure, unless a sign application has been approved to erect a sign thereon.